

# Licensed Child Care Facilities & Lead

## WHAT'S NEW IN 2016?



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## In April of 2014

The DPH Day Care Licensing  
program transitioned into the  
Office of Early Childhood (OEC).



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## Old vs New Terminology:

### Old

### New

- |                          |                          |
|--------------------------|--------------------------|
| ▶ Child Day Cares        | Child Care Centers       |
| ▶ Group Day Care Centers | Group Child Care Centers |
| ▶ Family Day Care Homes  | Family Child Care Homes  |



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OEC licensing staff  
will be conducting  
**ANNUAL**  
inspections  
of licensed child care centers



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**CURRENTLY WE REFERENCE...**

Child Care Center Guidelines:  
Circular letter 2008-90a

The CLPPP program developed a set of guidelines that clarified the types of licensed child care facilities as well as the roles & responsibilities of DPH and LHDs in regard to lead hazard identification and remediation.



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STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC HEALTH

Child Day Care Facilities  
Lead Hazard Identification, Abatement, and Hazard Remediation Protocol  
December 1, 2008

The protocol described in this document replaces and supersedes any previous lead hazard identification, abatement, and remediation guidance regarding child day care facilities that has been issued by the Department of Public Health (DPH). Specifically this protocol updates and clarifies responsibilities of local health departments (LHDs) regarding lead hazard identification, abatement, and remediation in child day care facilities. The protocol will clarify the roles and responsibilities of DPH and LHDs relative to the protection of children from lead exposure in licensed child day care facilities.

There are two distinct sets of statutes and regulations that apply to child day care facilities. One set of statutes and regulations encompasses child day care centers and group day care homes while the other set of statutes and regulations encompasses family day care homes.

A. Regulatory Overview of the Requirements for Child Day Care Centers and Group Day Care Homes:

**Definitions:** "Child day care center" means a program of supplementary care for more than twelve children and "group day care home" means a program of supplementary care for

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## **NEW:** OEC Child Care Protocol

OEC & L&HHP are currently developing a protocol **for** **OEC licensing specialists**

This protocol will outline:

- ▶ Steps for collecting paint chips
- ▶ Development of notification letters
- ▶ Steps to remediate lead hazards
- ▶ Determine what regulations/agency will order correction of identified lead hazards



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## **Statutes & Regulations–review**

One set of statutes & regulations for:

**CHILD CARE CENTERS**  
**&**  
**GROUP CHILD CARE CENTERS**

Another set is specific for  
family child care homes



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## **Child Care Centers** **and Group Child Care Centers**

### **EXISTING PROTOCOL**

Prior to OEC licensure **AND RE-LICENSURE** of a child care center in a building(s) constructed in whole or in part prior to 1978, a

**Comprehensive Lead Inspection (CLI)** shall be conducted by a certified lead inspector/risk assessor or a trained Code Enforcement Official



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## SO WHAT'S NEW OR DIFFERENT FROM LAST YEAR?

- ✓ OEC is looking **VERY** closely at lead inspection data in their **FILES**
- ✓ If components of CLI are missing (e.g. paint, dust, or soil samples) they are requiring the testing be done within 30 days



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## SO WHAT'S NEW OR DIFFERENT FROM LAST YEAR?

- ✓ OEC is **NOW** doing ANNUAL inspections they have the time to look closer at **LEAD MANAGEMENT PLANS**
- ✓ And the condition of the paint throughout the licensed space



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**YOU'RE THINKING...**

**...AND WHY IS THIS**

**OF INTEREST TO ME?**



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Because the licensed provider is probably going to reach out to Local Health Department (LHD) for a copy of the inspection results

OR

they may request that LHD do the sampling & testing

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## So why the confusion?

- New requests for lead inspection results
- New OEC staff
- Licensed providers wondering why they need to test now?
- Who is required to do the lead testing?
  - provider should hire a lead consultant unless LHD chooses to assist

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## Suggestions:

- ✓ Get to know the OEC Licensing Specialists
  - develop a relationship- work together
  - varied levels of experience & lead knowledge
- ✓ Review files of child care centers in pre-78 buildings. Ensure:
  - CLI files are complete
  - Lead Management Plan is up to date
- ✓ Who is required to do the lead testing?
  - The provider should hire a CT Licensed Lead Consultant unless LHD chooses to assist

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Paul Pino

M.D., M.P.H., Commissioner

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Lead Poisoning Prevention and Control Program

Statement/Mission:

Childhood Lead Poisoning is the most common pediatric public health problem, yet it is entirely preventable. Once a child has been poisoned, the impairment it may cause is irreversible. Lead harms children's nervous systems and is associated with reduced IQ, behavioral problems, and learning disabilities. In large doses, it can cause coma, convulsions and death. While lead paint in homes built before 1978 continues to be the most common source of lead exposure, there are other sources of lead that can poison a child or adult. No amount of lead is safe for the body poisoning.

The mission of the Connecticut Department of Public Health Lead Poisoning Prevention and Control Program continues to be to protect the health and safety of the people of Connecticut and to prevent lead poisoning and promote wellness through education and a wide range of program activities that relate to lead poisoning prevention and in particular, childhood lead poisoning prevention.

#### Child Day Care Operators

- [Resources for child day care operators](#)

#### Forms and Applications

- [Environmental Health Practitioner Licenses](#)

#### The Impact of Early Childhood Lead Exposure on Educational Test Performance among Connecticut Schoolchildren

[Phase 1 Report](#) [Phase 2 Report](#)

#### Local Health Department Use

- [LHD Menu User Manual](#) (pdf)
- [Circular Letters](#)
- [LHD Resources](#)
- [Lead Inspector Risk Assessor Training Materials](#)

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## Lead Poisoning Prevention and Control

[Printable Version](#)

### Daycares

#### Preventing Lead Poisoning in Your Day Care Facility

This two page fact sheet has been developed to assist child daycare operators that have businesses located in a building constructed prior to 1978 and require a comprehensive lead inspection.

#### Renovation Repair and Painting (RRP) Pamphlet for Child Care Providers

Informs child care providers responsible for renovation in a child day-care, of the requirements and importance of hiring a contractor that is EPA Lead-Safe certified.

#### How to find an RRP contractor

Directions to find an RRP contractor on the EPA website.

#### Steps to Follow When Lead is Identified in a Child Daycare Facility

A flowchart developed to assist child day care operators and local health officials when lead hazards are identified in a child day care facility during a comprehensive lead inspection.

#### Who to hire for a Lead Inspection or Clearance Dust Wipe Sampling

Directions to access the CT eLicense website to download a roster of licensed lead consultants who employ certified lead inspectors and/or risk assessors.

#### Model Lead Hazard Remediation Plan for Child Daycare Facilities

This template form is to assist child day care operators in the development of a lead hazard remediation plan that meets the criteria of the local health department.

#### Model Lead Management Plan

A written plan describing how an intact surface with lead-based paint will be monitored to ensure that defective paint surfaces will be identified and abated.

#### Lead in Artificial Turf Fact Sheet

Fact sheet developed to educate the reader on the potential hazards of lead for children who play on artificial turf.

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## Who to Hire for an Inspection or Clearance Sampling

### How to Locate a Licensed Lead Consultant Contractor or Lead Abatement Consultant Contractor (E-licensing website directions)

- Go to: <https://www.elicense.ct.gov/lookup/GenerateRoster.aspx>
- Click on the arrows to the left of "Lead Abatement Professionals" to expand the list. Below is what it will look like.

**Lead Abatement Professionals - (Click on the 2 squares to expand)**

**Lead Abatement Consultant Contractor (No Fee Required)**

**Lead Abatement Contractor (No Fee Required)**

**Lead Consultant Contractor (No Fee Required)**

**Lead Planner/Project Designer (No Fee Required)**

- Select "Lead Abatement Consultant Contractor" and "Lead Consultant Contractor"

- Click on Continue - this is an example of what will come up:

| Format                     | Roster Name                          | Results          | Status             |
|----------------------------|--------------------------------------|------------------|--------------------|
| Excel (xlsx)<br>Text (txt) | Lead Abatement Consultant Contractor | 27 records found | Ready for Download |
| Excel (xlsx)<br>Text (txt) | Lead Consultant Contractor           | 40 records found | Ready for Download |

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## Comprehensive Lead Inspection (CLI)

Includes:

1. Testing of representative components of each type of painted surface throughout the facility (typically with an XRF)
2. Dust wipe sampling of select window sills and floors
3. Testing of bare soil areas
4. Water sampling (required by OEC every 2 years)



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## Comprehensive Lead Inspection

OEC requires the center to  
have a lead inspection  
completed within

**30 days of notification**



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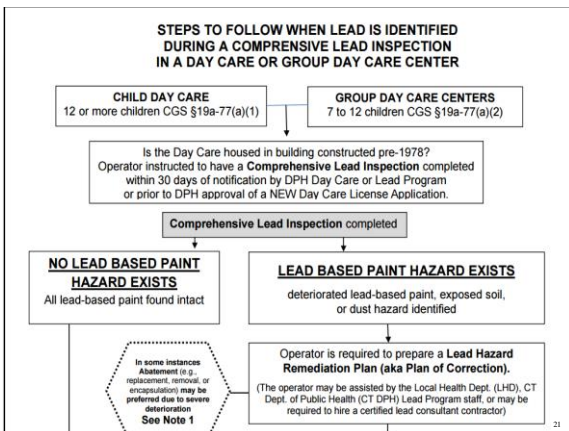
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CLI is complete &  
lead hazards are found....

Does a child care center need to

***abate or remediate?***

There are  
**NO CHILDREN IN RESIDENCE**  
in a Child Care CENTER.



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Lead hazards in  
**Child Care Centers**

must be

**REMEDIATED**

using RRP and lead safe  
work practices



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**Lead Abatement:**

▶ **NOT** required in a  
**Child Care Center**



▶ **REQUIRED** in a  
**Family Child Care Home** when  
lead hazards are found in the home  
of a child <6 (triggers 19a-111)



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NEXT STEPS:

Lead Hazard Remediation Plan

The operator and/or building owner shall develop a **lead hazard remediation plan**

- ✓ LHD/DPH may offer guidance/assistance
- ✓ LHD should work with & communicate with OEC



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This is the template that can be found on the website...

**MODEL LEAD HAZARD REMEDIATION PLAN  
DAY CARE FACILITIES**

The objective of this form is to assist you in developing a lead hazard remediation plan that meets the criteria of the local health department. Overall, the plan must outline how the project will be conducted in a lead-safe manner. The entire form (each section) must be completed. Please check off each section in the boxes provided as you complete the plan. Additionally, **PRIOR TO WORK BEING STARTED** this plan must be reviewed and approved by your local health department.

☐ **A. Background Information**

Date Plan Submitted to the local health department: \_\_\_\_\_

Daycare name: \_\_\_\_\_ Daycare license #: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Contact Tel #: (\_\_\_\_\_) \_\_\_\_\_

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No work should occur:

- ▶ without an approved Lead Hazard Remediation Plan
- ▶ while children are present (unless approved by the LHD)



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Ensure that the contractor hired to perform the Lead Hazard Remediation is **RRP Certified**.



Determine who will be performing the **clearance dust wipe sampling** before work begins.

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## Clearance dust wipe sampling

Can be completed by:

- ▶ LHD staff
- ▶ CT Licensed Lead Consultant

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### How to Find an RRP-Certified Renovator

**Locating an EPA Certified Renovation, Remodeling, and Painting Renovator (RRP)**

As of April 22, 2010, EPA requires firms that conduct renovation, remodeling, or paint removal activities on residential houses, apartments, and child-occupied facilities built before 1978, to be:

- certified as a "certified renovator" with EPA,
- their employees must be trained in the use of lead-safe work practices, and
- the lead-safe work practices that minimize occupants' exposure to lead hazards must be followed.

A firm's employees must take an EPA approved 8 hour training course in order to obtain certification and become a "certified renovator".

**To locate a certified renovator with EPA:**

- Go to: [http://cfpub.epa.gov/fips/searchrrp\\_firm.htm](http://cfpub.epa.gov/fips/searchrrp_firm.htm)
- The following web page will come up:

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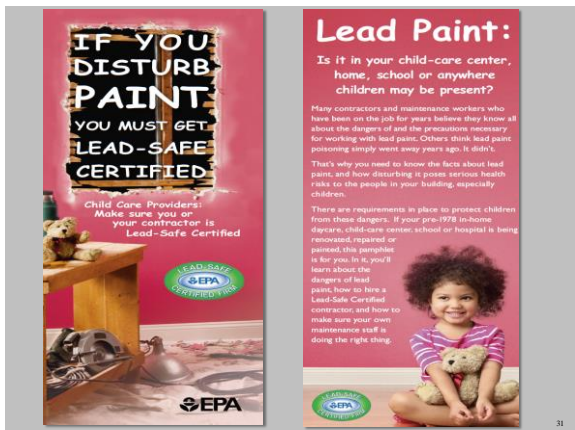
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## After Lead Hazard Remediation

- Dust wipe sampling & final inspection is required to ensure that:
  - ❖ Remediation plan was followed
  - ❖ Lead hazards have been eliminated
  - ❖ Area is suitable for reoccupancy
- If intact lead painted surfaces remain, a **Management Plan** must be reviewed and approved by LHD
- LHD to provide written verification (**Post Remediation Compliance Letter**) to the Child Care Center Operator & DPH Lead Program

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## Record Keeping

Both LHD & licensed child care centers must keep copies of:

- ▶ Lead Hazard Remediation Plans
- ▶ Lead Management Plans
- ▶ Post Remediation Compliance Letter

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## Family Child Care Homes

**Definition per** GS 19a-77(3)

A "**family day care home**" consists of a private family home caring for not more than six (6) children...



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## Family Child Care Homes (FCCH)

### **BACKGROUND:**

- ▶ LHDs **DO NOT** routinely inspect FCCHs  
(LHDs are notified that an application has been submitted to OEC)
- ▶ OEC does **NOT** require a CLI prior to licensure



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## Family Child Care Homes

### **BACKGROUND:**

- ▶ OEC is conducting routine **ANNUAL INSPECTIONS** in FCCHs
- ▶ OEC is sampling defective paint



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**DO LHD'S  
HAVE REGULATORY  
AUTHORITY  
IN  
FAMILY CHILD CARE HOMES?**



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***MAYBE...?***



- ▶ Is there a local ordinance in your jurisdiction?
- ▶ Have lead hazards been identified in the home of a child <6 or in a rented dwelling?



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If OEC paint chip sampling identifies defective LBP the following regulations and statutes are triggered & LHD's must follow-up:

- ▶ **19a-111-2(a)**: child <6 in residence (owner occupied or rental) = CLI required
- ▶ **CGS 47a-52 or 54f**: defective LBP in a rented dwelling, no children <6
  - LHD can order to abate or remediate



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## Lead Regulations: 19a-111-2(a)(b)(d) & (e)

LHD must ensure:

1. A CLI is conducted
2. A lead Abatement Order is issued
3. Interim controls are implemented (as needed)
4. Lead abatement is completed ASAP



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## CGS 47a-52 or 54f:

LHD must ensure:

1. A CLI is conducted
2. All identified hazards must be either corrected using RRP and lead safe work practices or abated, it's up to LHD  
\*\*\*\*Great Primary Prevention\*\*\*\*
3. Interim controls are implemented (as needed)



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Per the OEC protocol currently under review, L&HHP will notify LHD when 19a-111 or CGS 47a-52 or 54f have been triggered.

- ▶ LHD works with OEC to implement interim controls
- ▶ Work with OEC to ensure CLI is conducted ASAP
- ▶ LHD may need to:
  - provide guidance on lead hazard remediation
  - issue an order to remediate/abate the hazard(s)
  - review abatement/remediation plan
  - issue Letter of Compliance...



**THIS IS PRIMARY PREVENTION**

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QUESTIONS?

COMMENTS?

CONCERNS?

TOTALLY CONFUSED????



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